

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

|                     |   |                        |
|---------------------|---|------------------------|
| RUFUS BRINKLEY,     | ) | No. C 02-03988 JW (PR) |
| Petitioner,         | ) |                        |
| vs.                 | ) | ORDER REOPENING HABEAS |
|                     | ) | CORPUS ACTION          |
| ANA RAMIREZ-PALMER, | ) |                        |
| Respondent.         | ) |                        |
| _____               | ) |                        |

On June 6, 2006, the Court dismissed this pro se habeas corpus action under Rule 41(b) of the Federal Rules of Civil Procedure for failure to prosecute. In a letter to the Court dated November 25, 2006, petitioner claims that he has not been receiving his mail, and just recently received notice that this action had been dismissed. He also claims that he had sent a notice of change of address to the Court when he was transferred to another prison. Petitioner requests the petition be reinstated.

In the interests of justice, petitioner's request is GRANTED. Because it is unclear whether petitioner received the Court's earlier order granting petitioner's

1 request for an extension of time to file a traverse, petitioner is granted **thirty (30)**  
2 **days** from the date of this order to file a traverse to respondent's answer should he  
3 choose to do so at this time.

4 For the foregoing reasons, and for good cause shown:

- 5 1) The order of dismissal entered June 6, 2006, is vacated.
- 6 2) The clerk shall reopen the file.

7  
8 DATED: October 9, 2007

  
9 JAMES WARE  
United States District Judge